



February 26, 1999

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## HOUSE BILL No. 1686

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DIGEST OF HB 1686 (Updated February 25, 1999 11:16 am - DI 58)

**Citations Affected:** IC 14-8; IC 14-32.

**Synopsis:** Conservation district water program. Establishes the clean water Indiana program and the clean water Indiana fund, both of which are administered by the division of soil conservation of the department of natural resources, subject to the direction of the soil conservation board. Describes educational, technical assistance, training, and cost sharing programs supported by the program and the fund to help land occupiers and conservation programs reduce nonpoint sources of water pollution. Provides additional funds available on a matching basis to districts that receive money from political subdivisions. Requires the division of soil conservation to submit an annual report to the executive director of the legislative services agency concerning the program and the fund.

**Effective:** July 1, 1999.

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**Leuck, Friend, Kruzan, Wolkins**

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January 26, 1999, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.

February 18, 1999, reported— Do Pass; referred to Committee on Ways and Means pursuant to Rule 127.

February 25, 1999, amended, reported — Do Pass.

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HB 1686—LS 7854/DI 78+



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February 26, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1686

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A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 14-8-2-107 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 107. "Fund" has the
- 3 following meaning:
- 4 (1) For purposes of IC 14-9-5, the meaning set forth in
- 5 IC 14-9-5-1.
- 6 (2) For purposes of IC 14-9-8-21, the meaning set forth in
- 7 IC 14-9-8-21.
- 8 (3) For purposes of IC 14-9-9, the meaning set forth in
- 9 IC 14-9-9-3.
- 10 (4) For purposes of IC 14-12-1, the meaning set forth in
- 11 IC 14-12-1-1.
- 12 (5) For purposes of IC 14-12-2, the meaning set forth in
- 13 IC 14-12-2-2.
- 14 (6) For purposes of IC 14-12-3, the meaning set forth in
- 15 IC 14-12-3-2.
- 16 (7) For purposes of IC 14-13-1, the meaning set forth in
- 17 IC 14-13-1-2.

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- 1 (8) For purposes of IC 14-13-2, the meaning set forth in
- 2 IC 14-13-2-3.
- 3 (9) For purposes of IC 14-19-4, the meaning set forth in
- 4 IC 14-19-4-1.
- 5 (10) For purposes of IC 14-19-5, the meaning set forth in
- 6 IC 14-19-5-1.
- 7 (11) For purposes of IC 14-20-1, the meaning set forth in
- 8 IC 14-20-1-3.
- 9 (12) For purposes of IC 14-20-11, the meaning set forth in
- 10 IC 14-20-11-2.
- 11 (13) For purposes of IC 14-22-3, the meaning set forth in
- 12 IC 14-22-3-1.
- 13 (14) For purposes of IC 14-22-4, the meaning set forth in
- 14 IC 14-22-4-1.
- 15 (15) For purposes of IC 14-22-5, the meaning set forth in
- 16 IC 14-22-5-1.
- 17 (16) For purposes of IC 14-22-8, the meaning set forth in
- 18 IC 14-22-8-1.
- 19 (17) For purposes of IC 14-22-34, the meaning set forth in
- 20 IC 14-22-34-2.
- 21 (18) For purposes of IC 14-23-3, the meaning set forth in
- 22 IC 14-23-3-1.
- 23 **(19) For purposes of IC 14-23-8, the meaning set forth in**
- 24 **IC 14-23-8-1.**
- 25 **(20)** For purposes of IC 14-25-2-4, the meaning set forth in
- 26 IC 14-25-2-4.
- 27 ~~(20)~~ **(21)** For purposes of IC 14-25-10, the meaning set forth in
- 28 IC 14-25-10-1.
- 29 ~~(21)~~ **(22)** For purposes of IC 14-25-11-19, the meaning set forth
- 30 in IC 14-25-11-19.
- 31 ~~(22)~~ **(23)** For purposes of IC 14-28-5, the meaning set forth in
- 32 IC 14-28-5-2.
- 33 ~~(23)~~ **(24)** For purposes of IC 14-31-2, the meaning set forth in
- 34 IC 14-31-2-5.
- 35 ~~(24)~~ **(25)** For purposes of IC 14-25-12, the meaning set forth in
- 36 IC 14-25-12-1.
- 37 ~~(25)~~ **(26)** For purposes of IC 14-33-14, the meaning set forth in
- 38 IC 14-33-14-3.
- 39 ~~(26)~~ **(27)** For purposes of IC 14-33-21, the meaning set forth in
- 40 IC 14-33-21-1.
- 41 ~~(27)~~ **(28)** For purposes of IC 14-34-6-15, the meaning set forth in
- 42 IC 14-34-6-15.



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(28) (29) For purposes of IC 14-34-14, the meaning set forth in IC 14-34-14-1.

(29) (30) For purposes of IC 14-37-10, the meaning set forth in IC 14-37-10-1.

SECTION 2. IC 14-8-2-208 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 208. "Political subdivision" has the following meaning:

(1) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-2.

(2) For purposes of IC 14-20-1, the meaning set forth in IC 14-20-1-4.

(3) For purposes of IC 14-32-8, the meaning set forth in IC 14-32-8-2.

SECTION 3. IC 14-8-2-216 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 216. "Program" has the following meaning:

(1) For purposes of IC 14-12-3, has the meaning set forth in IC 14-12-3-4.

(2) For purposes of IC 14-32-8, the meaning set forth in IC 14-32-8-3.

SECTION 4. IC 14-32-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

**Chapter 8. Clean Water Indiana Program**

**Sec. 1.** As used in this chapter, "fund" means the clean water Indiana fund established by this chapter.

**Sec. 2.** As used in this chapter, "political subdivision" means a county, township, city, or town.

**Sec. 3.** As used in this chapter, "program" means the clean water Indiana program established by this chapter.

**Sec. 4.** The clean water Indiana program is established. The division of soil conservation shall administer the program subject to the direction of the board.

**Sec. 5.** The purpose of the program is to provide financial assistance to:

(1) land occupiers; and

(2) conservation groups;

to implement conservation practices to reduce nonpoint sources of water pollution through education, technical assistance, training, and cost sharing programs.

**Sec. 6. (a)** The clean water Indiana fund is established to carry out the purposes of this chapter. The fund shall be administered by



the division of soil conservation subject to the direction of the board.

(b) The fund consists of:

- (1) amounts appropriated by the general assembly; and
- (2) donations, grants, and money received from any other source.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

**Sec. 7. Money in the fund may be spent in the following ways:**

- (1) To increase district technical assistance in local conservation efforts.
- (2) To develop an environmental stewardship program to assist land occupiers in complying with environmental regulations voluntarily.
- (3) To qualify for federal matching funds for county soil survey computerization.
- (4) To provide for the following cost sharing programs:
  - (A) A program to encourage land occupiers to implement conservation practices to reduce nutrient, pesticide, and sediment runoff.
  - (B) Programs that encourage land occupiers to implement nutrient management programs by sharing the cost of any of the following:
    - (i) Fencing for intensive grazing systems.
    - (ii) Purchasing nutrient management equipment.
    - (iii) Voluntary environmental audits.
- (5) To provide matching grants to districts for the following:
  - (A) Professional watershed coordinators to facilitate and administer local watershed protection projects.
  - (B) District managers to administer district conservation policies and programs.
  - (C) Capacity building specialists to train district personnel in grant writing, grant administration, and leadership development.
  - (D) Conservation education specialists to help implement district conservation education efforts.
  - (E) Urban storm water specialists to provide technical assistance to developers to contain soil erosion on construction sites.
- (6) To make distributions as provided under section 8 of this



chapter.

Sec. 8. (a) In addition to funds provided to a district under section 7 of this chapter or from any other source, the division of soil conservation shall pay to the district one dollar (\$1) for every one dollar (\$1) the district receives from a political subdivision.

(b) A district is not eligible to receive more than ten thousand dollars (\$10,000) under this section.

(c) In order to receive funding under this section, before June 15 of each year a district must certify to the division of soil conservation the amount of money the district received from all political subdivisions during the one (1) year period beginning June 1 of the previous year. The division of soil conservation shall make distributions under this section not later than July 1 of each year.

(d) Before making distributions under this section the division of soil conservation shall determine the total amount of money that has been certified by all districts as having been provided by political subdivisions. If the cumulative amount to be distributed to all districts exceeds the amount appropriated to the fund, the division of soil conservation shall reduce the distribution to each district proportionately.

(e) A district must spend money received under this section for the purposes of the district.

Sec. 9. The division of soil conservation shall provide a report to the executive director of the legislative services agency each year. The report must describe:

- (1) the expenditures of the clean water Indiana fund; and
- (2) the number, type, status, and effectiveness of conservation efforts funded by the clean water Indiana program.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1686, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

LYTLE, Chair

Committee Vote: yeas 13, nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1686, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Page 5, delete lines 29 through 34.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1686 as introduced, and as amended by the committee report of the Committee on Agriculture, Natural Resources and Rural Development adopted February 18, 1999.)

BAUER, Chair

Committee Vote: yeas 21, nays 0.

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